IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

NOTICE OF MOTION NO.132 OF 2007
IN
INSOLVENCY PETITION NO.41 OF 2003

RE: Kokodan Sudhan Babu Krishnan & Anr. ...Insolvents

EX-PARTE :

Ghisalal C.Shah ...Ptg.Creditor

.....

Insolvent absent.

Mr.Kishore Jain for Petitioning Creditor.

Mr.Y.C.Parikh, Official Assignee is present.

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CORAM: A.M.KHANWILKAR, J.

NOVEMBER 20, 2007.

P.C.

1. Counsel for the Petitioning Creditor submits that the Insolvent has already paid all the outstanding dues, for which reason, the Court may consider the request of the Insolvent to annul the order of adjudication dated 7th October 2003. That aspect can be considered in Notice of Motion No.89 of 2007.

2. For the time being, in view of the statement made on behalf of the Petitioning Creditor, order dated 7th August 2007 dismissing Notice of Motion No.89 of 2007 is recalled. Present Motion is made absolute in terms of prayer clause (a).

3. Notice of Motion No.89 of 2007 be placed for hearing on 4th December 2007. Intimation in that behalf be given to the Insolvent No.1 who appears in-person.

A.M.KHANWILKAR, J.